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6 Attorney for Defendant
7 CITY OF LOS ANGELES

8
9 **UNITED STATES DISTRICT COURT**
10 **CENTRAL DISTRICT OF CALIFORNIA**

11
12 (1) WEST VALLEY CAREGIVERS,) Case No.: CV10-4150 SJO (AJWx)
an Unincorporated Not-For Profit)
13 Association; (2) ROYAL HERB)
MERCHANT, a California Non-Profit) Honorable S. James Otero
14 Mutual Benefit Corporation; (3))
HERBAL HEALING'S HERBAL)
15 HEALING CENTER, a California Not-) **DEFENDANT CITY OF LOS**
For Profit Limited Liability Company;) **ANGELES' REPLY**
16 (4) HOLLYWOODS) **MEMORANDUM IN SUPPORT OF**
COMPASSIONATE CAREGIVERS, a) **THE CITY'S MOTION TO**
17 California Non-Profit Mutual Benefit) **DISMISS PLAINTIFFS'**
Corporation; (5) LOS ANGELES) **COMPLAINT**
18 MEDICAL COLLECTIVE, a California)
Non-Profit Mutual Benefit Corporation;)
19 (6) INFINITY PHILANTHROPY)
GLOBAL DBA ALLEVIATIONS, a)
20 California Non-Profit Mutual Benefit)
Corporation; (7) PACOIMA)
21 RECOVERY COLLECTIVE INC, a)
California Non-Profit Mutual Benefit)
22 Corporation; (8) HERBAL LOVE)
CAREGIVERS ON THE)
23 BOULEVARD, a California Non-Profit)
Mutual Benefit Corporation;; (9) CAFE)
24 420, a California Non-Profit Mutual)
Benefit Corporation; (10) HELPING)
25 HINT CAREGIVERS, a California)
Non-Profit Mutual Benefit Corporation;)
26 (11) TRADITIONAL HERBAL)
CENTER, INC COLLECTIVE)
27 CAREGIVERS, a California Non-Profit)
Mutual Benefit Corporation; (12))
28 T.L.P.C., a California Non-Profit)

DATE: August 9, 2010
TIME: 10:00 a.m.
COURTROOM: 1 (Spring Street)

1 Mutual Benefit Corporation; (13))
 2 LAHC 3 COLLECTIVE, a California)
 3 Non-Profit Mutual Benefit Corporation;)
 4 (14) UNIVERSAL CAREGIVERS)
 5 INC., a California Mutual Benefit)
 6 Corporation;)
 7)
 8 Plaintiffs,)
 9)
 10 vs.)
 11)
 12 CITY OF LOS ANGELES, a)
 13 government entity; DOES 1 through 10,)
 14 inclusive,)
 15)
 16 Defendants.)
 17)
 18)
 19)
 20)
 21)
 22)
 23)
 24)
 25)
 26)
 27)
 28)

Defendant City of Los Angeles submits this brief reply memorandum in support of the City's Motion to Dismiss Plaintiffs' Complaint (the City's Motion is listed as Items Nos. 9 and 10 on the Court's Docket), which is scheduled for hearing on August 9, 2010, at 10:00 a.m..

By Order dated July 14, 2010 (Docket No. 17), a copy of which is attached hereto as Exhibit A, Plaintiffs' opposition to the City's Motion was due for filing by no later than July 19, 2010. As of this date, July 26, 2010, Plaintiffs have not filed any response to the City's Motion. Pursuant to U.S. District Court Local Rule 7-12 the "failure to file any required paper, or the failure to file it within the deadline, may be deemed consent to the granting or denial of the motion."

1 Based on the foregoing, Plaintiffs' failure to file any opposition to the City's
2 Motion demonstrates Plaintiffs' consent to granting the City's Motion. Therefore, the
3 City respectfully requests the Court to enter an order granting the City's Motion to
4 Dismiss Plaintiffs' Complaint and to dismiss this action in its entirety.

5
6 Dated: July 26, 2010

OFFICE OF THE CITY ATTORNEY

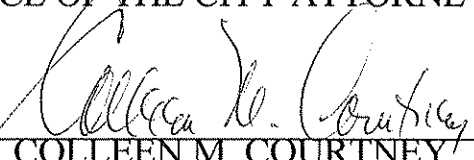
7
8 By: 
9 COLLEEN M. COURTNEY
Attorneys for Defendant City of Los Angeles

EXHIBIT A

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CITY OF LOS ANGELES

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

(1) WEST VALLEY CAREGIVERS,) Case No.: CV 10-4150 SJO (AJWx)
an Unincorporated Not-For Profit)
Association; (2) ROAYL HERB)
MERCHANG, a California Non-Profit) Honorable S. James Otero
Mutual Benefit Corporation; (3))
HERBAL HEALING'S HERBAL) **ORDER**
HEALING CENTER, a California Not-) **TO CONTINUE HEARING DATE**
For Profit Limited Liability Company;) **ON DEFENDANT CITY OF LOS**
(4) HOLLYWOODS) **ANGELES' MOTION TO DISMISS**
COMPASSIONATE CAREGIVERS, a) **COMPLAINT**
California Non-Profit Mutual Benefit)
Corporation; (5) LOS ANGELES)
MEDICAL COLLECTIVE, a California) [Local Rules 7-1 and 7-11]
Non-Profit Mutual Benefit Corporation;)
(6) INFINITY PHILANTHROPY)
GLOBAL DBA ALLEVIATIONS, a) OLD DATE: July 19, 2010
California Non-Profit Mutual Benefit) TIME: 10:00 a.m.
Corporation; (7) PACOIMA) COURTROOM: 1 (Spring Street)
RECOVERY COLLECTIVE INC, a)
California Non-Profit Mutual Benefit) NEW DATE: August 9, 2010
Corporation; (8) HERBAL LOVE) TIME: 10:00 a.m.
CAREGIVERS ON THE) COURTROOM: 1 (Spring Street)
BOULEVARD, a California Non-Profit)
Mutual Benefit Corporation;; (9) CAFE)
420, a California Non-Profit Mutual)
Benefit Corporation; (10) HELPING)
HINT CAREGIVERS, a California)
Non-Profit Mutual Benefit Corporation;)
(11) TRADITIONAL HERBAL)
CENTER, INC COLLECTIVE)
CAREGIVERS, a California Non-Profit)
Mutual Benefit Corporation; (12))
T.L.P.C., a California Non-Profit)

1 Mutual Benefit Corporation; (13))
 2 LAHC 3 COLLECTIVE, a California)
 3 Non-Profit Mutual Benefit Corporation;)
 4 (14) UNIVERSAL CAREGIVERS)
 5 INC., a California Mutual Benefit)
 6 Corporation;)

7 Plaintiffs,)

8 vs.)

9 CITY OF LOS ANGELES, a)
 10 government entity; DOES 1 through 10,)
 11 inclusive,)

12 Defendants.)

13 Having reviewed and considered the parties' stipulation to continue the hearing
 14 date on Defendant City of Los Angeles' motion to dismiss Plaintiffs' complaint (which
 15 is reflected on the Court's Docket as Items Nos. 9 and 10), and good cause appearing
 16 therefore,

17
 18 IT IS HEREBY ORDERED:
 19

20
 21 1. The hearing on the City's motion to dismiss Plaintiffs' complaint which
 22 was originally noticed for hearing on July 19, 2010, at 10:00 a.m., is hereby continued
 23 to August 9, 2010, at 10:00 a.m., in Courtroom 1 of the above-entitled Court located at
 24 312 N. Spring Street, Los Angeles, California.

1 2. The last day for Plaintiffs to file and serve any opposition to the City's
2 motion to dismiss shall be July 19, 2010. The last day for the City to serve a reply brief
3 will be July 26, 2010.
4

5 IT IS SO ORDERED.
6
7

8 7/14/10
9 DATED: _____

S. James Otero

S. James Otero
United States District Court Judge